

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

DAVID-JOHN MCDONALD,  
RYAN K. GUIMOND, and  
CATHERINE PETRILLI,

Case No. 2:11-cv-13080

Plaintiffs,

Hon. Marianne O. Battani

v.

**Companion Case No. 11-11122  
(terminated; Dkt. #28)**

ASSET ACCEPTANCE, LLC

Defendant.

---

**ORDER VACATING THE COURT'S AUGUST 7, 2013 ORDER (ECF 107)**

This matter came to be upon the joint motion of Defendant Asset Acceptance, LLC and Plaintiffs Ryan K. Guimond and Catherine Petrilli (collectively, the "Parties") pursuant to Fed. R. Civ. P. 60(b) and 62.1(a)(3) (the "Joint Motion") (ECF 121) asking this Court to vacate its August 7, 2013 Opinion and Order Granting Plaintiffs' Motion for Class Certification, Granting Plaintiffs' Motion for Summary Judgment, and Denying Defendant's Motion for Summary Judgment (ECF 107).

Consistent with the Court's prior Order regarding the Parties' Joint Motion (ECF 122):

**IT IS HEREBY ORDERED** that the Parties' Joint Motion to vacate the August 7, 2013 Opinion and Order Granting Plaintiffs' Motion for Class Certification, Granting Plaintiffs' Motion for Summary Judgment, and

Denying Defendant's Motion for Summary Judgment (ECF 107) is GRANTED.

**IT IS FURTHER ORDERED** that the Court's August 7, 2013 Opinion and Order Granting Plaintiffs' Motion for Class Certification, Granting Plaintiffs' Motion for Summary Judgment, and Denying Defendant's Motion for Summary Judgment (ECF 107) is VACATED in its entirety.

**IT IS FURTHER ORDERED** that the Court's August 7, 2013 Judgment in favor of Plaintiff's against Defendant (ECF 108) also is VACATED in its entirety.

**IT IS SO ORDERED.**

Date: June 23, 2016

s/Marianne O. Battani  
MARIANNE O. BATTANI  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on June 23, 2016.

s/ Kay Doaks  
Case Manager